

IN THE HIGH COURT OF UTTARANCHAL AT
NAINITAL
WRIT PETITION NO. 1665 (SS) OF 2005

Lokendra Prasad, S/o Shri Keshvanand Vyas,
R/o Village-Saur, Post-Kotal Goan through Lambgoan,
District – Tehri Garhwal. Petitioner.

Versus

1. Gram Panchayat Adhyaksha, Saur, Vikas Khand, Pratap Nagar, Tehri.
2. Vikas Khand Shiksha Adhikari Pratapnagar, Lambgoan, Tehri Garhwal.
3. Up Khand Shiksha Adhikari Lambgoan, Tehri Garhwal.
4. Zila Shiksha Adhikari, Pretal Nagar, Narendra Nagar, Tehri. Respondents.

Hon'ble Rajesh Tandon, J.

Heard Ms. Puja Banga, learned counsel for the petitioner and learned standing counsel.

By means present writ petition, the petitioner has prayed for a writ of mandamus commanding the respondents to consider the candidature of the petitioner to the post of Shiksha Mitra in the Primary School at Vikaskhand Pratapnagar, District-Tehri Garhwal.

Briefly stated, the petitioner is an unemployed youth who is also postgraduate in History and has completed his B.Ed. From M.D. University, Rohtak, Haryana.

Learned counsel for the petitioner has submitted that the petitioner's is aggrieved by the conduct of the respondents in not considering the petitioner's appointment to the post of Shiksha Mitra.

The state of Uttaranchal issued an advertisement for the post of Shiksha Mitra in Basic Primary Schools in Village Panchayats of Tehri Garhwal in the Vikash Khand, Pratapnagar, District Tehri Garhwal.

The post of Shiksha Mitra which is advertised is equivalent to the post of Primary School Teacher but the

Shiksha Mitras are appointed on contract basis as Primary School Teachers in the different Primary Schools in the respective Gram Panchayats as per the Government Orders in this regard which are issued from time to time concerned with the appointment of the Shiksha Mitra in the Primary Schools and which provide for the constitution of committees in the various Vikashkhands or development Blocks of the different districts of the state of Uttaranchal for the appointments of Shiksha Mitra.

According to the petitioner, he belongs to the Gram Panchayat Saur, and in the said Gram Panchayat there are two villages, Saurt and Band Kundali and the gram Panchayat Saur falls in the Vikashkhand Pratapgarh.

The petitioner being desirous of being as a Shiksha Mitra in pursuance of the advertisement applied for the same in as much as he possessed all the qualification to be appointed as a Shiksha Mitra.

On 11th November, 2005 a direction was given to show cause why the candidature of the petitioner is not being considered for Shiksha Mitra.

The short submission of the petitioner is that the respondents may be directed to dispose of the representation of the petitioner made on 27.10.2005.

The respondents, therefore, are directed to consider the petitioner in the light of the observations made above within a period of six weeks from the date of the production of the certified copy of the order.

Writ petition is disposed of accordingly.

(Rajesh Tandon, J.)

19.12.2005
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